

TEXT OF MODIFIED REGULATIONS

Current wording is indicated by regular type.

Originally proposed deletions are indicated by ~~strikeout~~.

Originally proposed additions are indicated by underline.

New proposed deletions are indicated by ~~italics and strikeout~~.

New proposed additions are indicated by **bold double underline**.

DIVISION 6. PESTICIDES AND PEST CONTROL OPERATIONS CHAPTER 1. PESTICIDE REGULATORY PROGRAM SUBCHAPTER 1. RESTRICTED MATERIALS ARTICLE 4. FIELD FUMIGATION REQUIREMENTS

Amend section 6452.2 to read:

6452.2 Fumigant Volatile Organic Compound Emission Limits.

(a) The Director shall establish field fumigant volatile organic compound (VOC) emission limits in the Annual Volatile Organic Compound Emissions Inventory Report issued pursuant to section 6452.4 for areas that exceed 80 percent of the emissions benchmarks listed below during the May 1 through October 31 time period:

Ozone Nonattainment Area	Total Agricultural and Structural VOC Emissions Inventory Benchmarks from May 1 to October 31
Sacramento Metro	900,000 830,000 <u>900,000</u> lbs. (2.4 2.3 <u>2.4</u> tons/day average)
San Joaquin Valley	5,900,000 lbs. (16.0 tons/day average)
South Coast	1,500,000 3,200,000 <u>1,500,000</u> lbs. (4.1 8.7 <u>4.1</u> tons/day average)
Southeast Desert	230,000 340,000 <u>230,000</u> lbs. (0.62 0.92 <u>0.62</u> tons/day average)
Ventura	970,000 1,110,000 <u>970,000</u> lbs. (2.6 3.0 <u>2.6</u> tons/day average)

This subsection shall not apply to Ventura until 2012. The field fumigant VOC emission limits for the Ventura ozone nonattainment area prior to 2012 are established pursuant to subsection (c).

(b) The Director shall calculate the field fumigant VOC emission limits specified in (a) by subtracting the nonfumigant pesticide VOC emissions from the total agricultural and structural VOC emissions inventory benchmarks. Nonfumigant pesticide product emissions will be the summation of the pounds of each pesticide product used multiplied by the VOC content (emission potential) for the specific product.

~~(c) The Director establishes the following field fumigant VOC emissions limits for 2008:~~

Ozone Nonattainment Area	Maximum Total Pounds of VOC Emissions from Field Fumigations from May 1 to October 31
Ventura	734,000 lbs. (2.00 tons/day average)

(c) For the Ventura ozone nonattainment area, the Director establishes a field fumigant VOC emission limit of ~~1,350,000~~ **1,214,000** pounds (average ~~3.67~~ **3.30** tons/day) for applications that occur during May 1 to October 31, 2008. The Director shall establish field fumigant emission limits in Ventura for 2009, 2010, and 2011, in the Volatile Organic Compound Emissions Inventory Report pursuant to section 6452.4 by subtracting the nonfumigant emissions from the following benchmarks:

<u>Ozone Nonattainment Area</u>	<u>Total Agricultural and Structural VOC Emissions Inventory Benchmarks from May 1 to October 31</u>
<u>Ventura</u>	1,470,000 <u>1,340,000</u> lbs. (3.99 <u>3.63</u> tons/day average) in 2009
<u>Ventura</u>	1,330,000 <u>1,190,000</u> lbs. (3.61 <u>3.23</u> tons/day average) in 2010
<u>Ventura</u>	1,220,000 <u>1,080,000</u> lbs. (3.32 <u>2.93</u> tons/day average) in 2011

NOTE: Authority cited: Sections 11456, 12976, 14005, and 14102, Food and Agricultural Code.
Reference: Sections 11501, 14006, and 14102, Food and Agricultural Code.